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TO:

NAME Lisa M Higginbotham

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AGENCY/OFFICE/DEPT FCC

FAX # 653-8773

PHONE # _____

FROM:

NAME Irene L. Hill

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PHONE # 202-663-4689

SPECIAL INSTRUCTIONS: _____

EX PARTE PRESENTATION

MM DOCKET NO. 92-261

CABLE ACT OF 1992 (EEO)

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Washington, D.C. 20507

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June 18, 1993

EEO BRANCH

EX PARTE PRESENTATION

Ms. Lisa M. Higginbotham
Attorney-Advisor
EEO Branch
Enforcement Division
Mass Media Bureau
Federal Communications Commission
Washington, D.C.

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Dear Ms. Higginbotham:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Enclosed please find a copy of the comments of the Commission's Program Research and Surveys Division on the EEO provisions of the Cable Television Consumer Protection and Competition Act of 1992.

If you have any questions concerning the comments or the attachments, please contact me at 202-663-4689 or Joachim Neckere at 202-663-4958.

Sincerely,

Irene L. Hill/mi

Irene L. Hill
Assistant Legal Counsel
Coordination Division
Office of the Legal Counsel

Enclosure

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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507

JUN 15 1993

MEMORANDUM

TO : Irene L. Hill, Director
Coordination Division
Office of Legal Counsel

FROM : Joachim Neckere, Director
Program Research and Surveys Division
Office of Program Operations

SUBJECT: Comments on FCC's Proposed Occupational Revisions

As requested we have reviewed the occupational reporting revisions proposed by the Federal Communications Commission (FCC) and are providing the following comments:

1. FCC should be made aware that the Commission has voted to expand the number of EEO-1 job categories from the current nine categories to 15 categories. (Attachment A provides definitions for the newly proposed categories.) Although the Office of Management and Budget (OMB) has disapproved this expansion the Commission vote is still in effect. If the expansion is approved by OMB, the job categories used by FCC in their various report might have to be changed at some future date.
2. Concerning the six new occupations mandated by Congress, there are, as FCC states, no sources of definitions and EEO labor force availability data that exactly match those occupational titles. However, fairly close approximation are available, including those used in the Special EEO File of the 1990 Census of Population. The accompanying table provides census occupational titles and codes that correspond to the six new FCC occupations. Also provided are codes from the Standard Occupational Classification (SOC) Manual. Not only does the SOC manual provide occupational definitions but it references its occupations to those provided in the Dictionary of Occupational Titles (DOT). The DOT, of course, provides the most detailed occupational definitions available from any source. With the exception of broadcast equipment operators which is a technician rather than managerial job category, the definitions which FCC is proposing in Appendix H are fairly close matches to the definitions in both the SOC manual and the DOT. For the information of FCC, we have also attached national labor force data from the Census for the occupations involved (Attachment B).

If you have any questions concerning these materials please contact me on extension 4958.

Attachments

FCC Detailed Occupational Titles by 1990 Census of Population (EEO Special File) Occupational Titles and Codes

FCC Title	Census Title	Census Code	SOC Code
Corporate Officers	Managers and Administrators, N.E.C.	022	121
General Manager	Managers And Administrators, N.E.C.	022	121
Chief Technician	Broadcast Equipment Operators	228	393
Comptroller	Financial Managers	007	122
General Sales Manager	Managers, Marketing, Advertising and Public Relations	013	125
Production Manager	Managers and Administrators, N.E.C.	022	1341

5. DESCRIPTION OF JOB CATEGORIES

Senior Level Officials and Managers. - Top level executives involved in policy making, planning, designing or implementing the management of business activity. These executives are specifically defined to include only the 25 percent of all managers in the reporting unit who earn the highest salary. In ranking managerial employees by salary, salary is to include regular cash compensation, exclusive of cash or other types of bonuses during the selected payroll period for which employment data are being reported.

Other Officials and Managers. - Includes the remaining 75 percent of managerial employees. Examples: mid-level managers, salaries supervisors. Also, management related occupations. Examples: purchasing agents and buyers, inspectors and compliance officers.

Science and Engineering Related Professionals. - Includes occupations concerned with the laws and principles of science, engineering and mathematics in the conduct of research and development in its business applications. Examples: architects, chemists, engineers, geologists, mathematicians and natural scientists.

Health Professionals. - Includes occupations concerned with preventing and diagnosing human and animal ailments, and prescribing and providing

through 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Examples: computer programmers; drafters; engineering, mathematical and scientific assistants; licensed practical or vocational nurses; radio operators; technical illustrators; technicians (medical, dental, electronic, physical science) and legal assistants.

Sales Occupations. - Occupations engaging wholly or primarily in direct selling. Examples: advertising agents and brokers, stock and bond salesworkers and sales clerks, grocery clerks and cashiers/checkers.

Clerical and Administrative Support Occupations. - Includes all administrative support activity performed directly or with office equipment. Examples: bookkeepers, collectors (bills and accounts), messengers, office assistants, data entry operators, shipping and receiving clerks, typists and secretaries, telephone operators.

Service Occupations, Except Protective. - Workers in nonprotective service occupations. Examples: attendants (hospital and other institutions, business and personal service, including nurses aides and orderlies), hairdressers, cleaners, janitors, porters, cooks, counter and fountain workers, food service workers, bartenders, amusement and recreation facilities attendants, guides, ushers, public transportation attendants.

Protective Service Occupations. - Workers in

drillers and quarry workers. Also, building trades craft workers, including apprentices. Examples: carpenters, electricians, plumbers, painters, concrete finishers and steamfitters.

Precision Production Occupations. - These include occupations concerned with performing production tasks that require a high degree of precision or attainment of rigid specifications, or operating plants or large systems. Examples: tool and die makers, machinists, boilermakers, jewelers, engravers, cabinet makers, typesetters, bookbinders, tailors and dressmakers, shoemakers, bakers, stationary engineers.

Transport and Material Moving Operatives. - Includes semi-skilled occupations concerned with operating and controlling equipment used to facilitate the movement of people or materials. Examples: garage supervisors, drivers (truck, bus and taxi cab), parking attendants, railroad operators (brake, signal and switch) and bridge tenders.

Other Operatives. - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and do not require extended training. Examples: blasters, dryers, furnace

6. LEGAL BASIS FOR REQUIREMENTS

SECTION 709(c), TITLE VII, CIVIL RIGHTS ACT OF 1964

*(As Amended by the Equal Employment
Opportunity Act of 1972)*

Recordkeeping: reports

Every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulations or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purposes of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which applications were received, and to furnish to the Commission upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment

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Report: Occupation by Race/Sex
Database: 1990 Census

SOURCE: The 1990 Census of Population source tapes from which these data were drawn were produced by the U.S. Bureau of the Census.

REPORT CRITERIA

State

United States

Occupation

Financial managers

Managers, marketing, advertising, public relat

Managers & administ., n.e.c., salaried

Broadcast equipment operator

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Report: Occupation by Race/Sex